



Substitute House Bill No. 5797

Public Act No. 06-172

AN ACT CONCERNING DIGITAL MEDIA AND MOTION PICTURE DEVELOPMENT IN THE STATE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 10-392 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2006*):

(a) The General Assembly finds and declares that culture, history, the arts and the [film] digital media and motion picture and tourism industries contribute significant value to the vitality, quality of life and economic health of Connecticut and therefore there is established the Connecticut Commission on Culture and Tourism. The Connecticut Humanities Council and the Connecticut Trust for Historic Preservation shall operate in conjunction with the commission for purposes of joint strategic planning, annual reporting on appropriations and fiscal reporting. The purpose of the commission shall be to enhance and promote culture, history, the arts and the tourism and [film] digital media and motion picture industries in Connecticut.

(b) The commission shall:

(1) Market and promote Connecticut as a destination for leisure and business travelers through the development and implementation of a

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strategic state-wide marketing plan and provision of visitor services to enhance the economic impact of the tourism industry;

(2) Promote the arts;

(3) Recognize, protect, preserve and promote historic resources;

(4) Interpret and present Connecticut's history and culture;

(5) Promote Connecticut as a location in which to [conduct filming] produce digital media and motion pictures and to establish and conduct business related to the [film and video] digital media and motion picture industries to enhance these industries' economic impact in the state;

(6) Beginning with the fiscal year ending June 30, 2006, and each fiscal year thereafter, prepare and submit to the Office of Policy and Management, in accordance with sections 4-77 and 4-77a, budget expenditure estimates and recommended adjustments for the next succeeding fiscal year or years and a detailed accounting of expenditures for the prior fiscal year, a copy of which shall be submitted to the General Assembly, in accordance with the provisions of section 11-4a;

(7) Establish a uniform financial reporting system and forms to be used by each regional tourism district, established under section 10-397, in the preparation of the annual budget submitted to the General Assembly;

(8) Integrate funding and programs whenever possible; and

(9) On or before January 1, 2005, and biennially thereafter, develop and submit to the Governor and the General Assembly, in accordance with section 11-4a, a strategic plan to implement subdivisions (1) to (5), inclusive, of this subsection.

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(c) Any proposals for projects under the jurisdiction of the commission and projects proposed by the Connecticut Humanities Council that require funding through the issuance of bonds by the State Bond Commission, in accordance with sections 13b-74 to 13b-77, inclusive, as amended, shall be submitted to the Connecticut Commission on Culture and Tourism. The commission shall review such proposals and submit any project that it believes has merit to the joint standing committee of the General Assembly having cognizance of matters relating to finance, revenue and bonding with the commission's recommendation for funding.

(d) The Connecticut Commission on Culture and Tourism shall be a successor agency to the State Commission on the Arts, the Connecticut Historical Commission, the Office of Tourism, the Connecticut Tourism Council, the Connecticut Film, Video and Media Commission and the Connecticut Film, Video and Media Office in accordance with the provisions of sections 4-38d and 4-39.

(e) Wherever the words "State Commission on the Arts", "Connecticut Historical Commission", "Office of Tourism", "Connecticut Film, Video and Media Office" and "Connecticut Commission on Arts, Tourism, Culture, History and Film" are used in the following sections of the general statutes, or in any public or special act of the 2003 or 2004 session the words "Connecticut Commission on Culture and Tourism" shall be substituted in lieu thereof: 3-110f, 3-110h, 3-110i, 4-9a, as amended, 4b-53, as amended, 4b-60, 4b-64, 4b-66a, 7-147a, 7-147b, 7-147c, 7-147j, 7-147p, 7-147q, 7-147y, 8-2j, 10-382, 10-384, 10-385, 10-386, 10-387, 10-388, 10-389, 10-391, 10a-111a, 10a-112, 10a-112b, 10a-112g, 11-6a, 12-376d, 13a-252, 19a-315b, 19a-315c, as amended, 22a-1d, 22a-19b, 25-102qq, 25-109q, 29-259 and 32-6a.

(f) The Legislative Commissioners' Office shall, in codifying the provisions of this section, make such technical, grammatical and

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punctuation changes as are necessary to carry out the purposes of this section.

Sec. 2. Section 10-393 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2006*):

(a) The Connecticut Commission on Culture and Tourism shall consist of [twenty-nine] thirty-five voting commissioners and nonvoting ex-officio members. Such ex-officio members shall be the executive directors of the Connecticut Trust for Historic Preservation and the Connecticut Humanities Council, the State Poet Laureate, the State Historian and the State Archaeologist. The State Poet Laureate, the State Historian and the State Archaeologist shall serve as commissioners without being appointed and without receiving compensation for such service. The remaining [twenty-four] thirty commissioners shall be appointed as follows:

(1) The Governor shall appoint eight commissioners: (A) One commissioner shall be an individual with knowledge of or experience or interest in tourism from within the state; (B) three commissioners shall be individuals with knowledge of or experience or interest in history or humanities; (C) one commissioner shall be an individual with knowledge of or experience or interest in the arts; (D) one commissioner shall be an individual [with knowledge of or experience or interest in film] with experience relating directly to the production of digital media or motion pictures; and (E) two commissioners shall be selected at large.

(2) The speaker of the House of Representatives shall appoint [three] four commissioners: (A) One commissioner shall be an individual with knowledge of or experience or interest in tourism from the southwestern tourism district, established under section 10-397; (B) one commissioner shall be an individual with knowledge of or experience or interest in history or humanities; [and] (C) one

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commissioner shall be an individual with knowledge of or experience or interest in the arts; and (D) one commissioner shall be an individual with experience relating directly to the production of digital media or motion pictures.

(3) The president pro tempore of the Senate shall appoint [three] four commissioners: (A) One commissioner shall be an individual with knowledge of or experience or interest in tourism from the central tourism district, established under section 10-397; (B) one commissioner shall be an individual with knowledge of or experience or interest in history or humanities; [and] (C) one commissioner shall be an individual with knowledge of or experience or interest in the arts; and (D) one commissioner shall be an individual with experience relating directly to the production of digital media or motion pictures.

(4) The majority leader of the House of Representatives shall appoint [two] three commissioners: (A) One commissioner shall be an individual with knowledge of or experience or interest in tourism from the south central tourism district, established under section 10-397; [and] (B) one commissioner shall be an individual with knowledge of or experience or interest in the arts; and (C) one commissioner shall be an individual with experience relating directly to the production of digital media or motion pictures.

(5) The majority leader of the Senate shall appoint [two] three commissioners: (A) One commissioner shall be an individual with knowledge of or experience or interest in tourism from the eastern tourism district; [and] (B) one commissioner shall be an individual with knowledge of or experience or interest in the arts; and (C) one commissioner shall be an individual with experience relating directly to the production of digital media or motion pictures.

(6) The minority leader of the House of Representatives shall appoint [three] four commissioners: (A) One commissioner shall be an

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individual with knowledge of or experience or interest in tourism from within the state; (B) one commissioner shall be an individual with knowledge of or experience or interest in history or humanities; [and] (C) one commissioner shall be an individual with knowledge of or experience or interest in the arts; and (D) one commissioner shall be an individual with experience relating directly to the production of digital media or motion pictures.

(7) The minority leader of the Senate shall appoint [three] four commissioners: (A) One commissioner shall be an individual with knowledge of or experience or interest in tourism from the northwestern tourism district, established under section 10-397; (B) one commissioner shall be an individual with knowledge of or experience or interest in history or humanities; [and] (C) one commissioner shall be an individual with knowledge of or experience or interest in the arts; and (D) one commissioner shall be an individual with experience relating directly to the production of digital media or motion pictures.

(b) Each commissioner shall serve a term that is coterminous with such commissioner's appointing authority. No member of a board of directors of a regional tourism district may serve as a commissioner of the Connecticut Commission on Culture and Tourism.

(c) The commission shall have an executive director, appointed by the Governor in accordance with the provisions of chapter 46, who shall administer the commission in accordance with subsection (e) of this section. The voting commissioners shall elect annually: A commissioner from among the voting commissioners to serve as chairperson of the commission, one commissioner as vice-chairperson, and other commissioners as officers. Such commissioners shall establish bylaws as necessary for the operation of the commission. Commissioners shall receive no compensation for the performance of their duties, but may be reimbursed for their necessary expenses incurred in the performance of their duties. The commission shall meet

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at least once during each calendar quarter and at such other times as the chairperson deems necessary or upon the request of a majority of commissioners in office.

(d) Thirteen voting commissioners of the board shall constitute a quorum and the affirmative vote of a majority of the voting commissioners present at a meeting of the commission shall be sufficient for any action taken by the commission. No vacancy of a commissioner shall impair the right of a quorum to exercise all the rights and perform all the duties of the commission. Any action taken by the commission may be authorized by resolution at any regular or special meeting and shall take effect immediately unless otherwise provided in the resolution.

(e) The executive director of the commission shall administer the commission, subject to the supervision of the commissioners. The executive director shall have the authority to administer all laws under the jurisdiction of the commission and the power and authority to: Coordinate, and direct the operation of the commission; establish rules for the internal operation of the commission; contract for facilities, services and programs to implement the purposes of the commission established by law, and enter into agreements for funding from private sources, including corporate donations and other commercial sponsorships. The executive director is authorized to do all things necessary to apply for, qualify for and accept any funds made available under any federal act for the purposes established under section 10-392, as amended by this act. All funds received under this subsection shall be deposited into the Connecticut Commission on Culture and Tourism account, established under section 10-395. The executive director may enter into contracts with the federal government concerning the use of such funds.

Sec. 3. Section 10-417 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2006*):

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(a) With respect to [film] digital media and motion picture activities, the Connecticut Commission on Culture and Tourism, established under section 10-392, as amended by this act, shall have the following powers and duties:

(1) To promote the use of Connecticut locations, structures, facilities and services for the production [of films, videos, television programs, audio recordings and other media-related products] and postproduction of all digital media and motion pictures and other media-related products;

(2) To provide support services to visiting and in-state production companies, including assistance to [film, video and other media] digital media and motion picture producers in securing [location] permits from state agencies, authorities or institutions or municipalities or other political subdivisions of the state;

(3) To develop and update a resource library concerning the many possible state sites which are suitable for [filming and taping] production;

(4) To develop and update a production manual of available [film, video and media] digital media and motion picture production facilities and services in the state;

(5) To conduct and attend trade shows and production workshops to promote Connecticut locations and facilities;

(6) To prepare an explanatory guide showing the impact of relevant state and municipal tax statutes, regulations and administrative opinions on typical production activities and to implement the tax credits provided for in section 20 of public act 06-83;

(7) To formulate and propose guidelines for [standardized permits to be used by] state agencies [which shall be as close to] for a "one stop

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permitting" process, [as possible,] for matters including, but not limited to, the use of state roads and highways, the use of state-owned real or personal property for production activities and the conduct of regulated activities, and to hold workshops to assist state agencies in implementing such process;

(8) To formulate and recommend to municipalities model local ordinances and forms to assist production activities, including, but not limited to, "one stop permitting" of [film, video and other] digital media and motion picture and other production activity to be conducted in a municipality, and to hold workshops to assist municipalities in implementing such ordinances;

(9) To accept any funds, gifts, donations, bequests or grants of funds from private and public sources for the purposes of this section;

(10) To request and obtain from any state agency, authority or institution or any municipality or other political subdivision of the state such assistance and data as will enable the commission to carry out the purposes of this section;

(11) To assist and promote cooperation among all segments of management and labor that are engaged in [film, video or other media production] digital media and motion pictures;

(12) To [develop criteria for use by the Department of Economic and Community Development, the Connecticut Development Authority, Connecticut Innovations, Incorporated, and other state agencies and authorities in awarding financial assistance for the production of films, videos and other media projects in the state. The criteria shall (A) provide for a secured position for the state, and (B) give preference to projects having significant advance sales or other commitments; and

(13) To] take any other administrative action which may improve the position of the state's [film, video and media] digital media and

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motion picture production industries in national and international markets.

(b) On or before January 15, 2008, and biennially thereafter, the commission shall submit to the General Assembly, in accordance with section 11-4a, a report on the activities of the commission under this section and the estimated direct and indirect economic impact of all digital media, motion pictures and related production activity in the state, during the preceding calendar years. Each such report shall also include an analysis of the impact on the state of each qualified production, as defined in section 20 of public act 06-83.

Sec. 4. Section 5-198 of the 2006 supplement to the general statutes is amended by adding subsection (dd) as follows (*Effective October 1, 2006*):

(NEW) (dd) The director for digital media and motion picture activities in the Connecticut Commission on Culture and Tourism.

Sec. 5. (NEW) (*Effective October 1, 2006*) Notwithstanding any provision of the general statutes, each state agency, department or institution issuing a request for proposals for any digital media, motion picture or related production activity shall, at the time of such issuance, transmit a copy of such request for proposals to the Connecticut Commission on Culture and Tourism. Said commission shall notify the executive head of each state agency of the requirements of this section.

Approved June 9, 2006